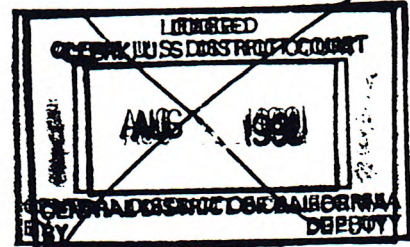
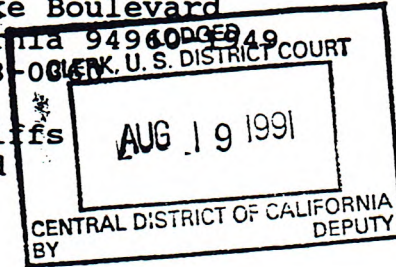


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7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10
11 VICKI J. AZNARAN and RICHARD N.)
12 AZNARAN,)

13 Plaintiffs,)

14 vs.)

15 CHURCH OF SCIENTOLOGY OF)
16 CALIFORNIA, et al.,)

17 Defendants.)

18 AND RELATED COUNTER CLAIM)
19)

No. CV-88-1786-JMI (Ex)

**PLAINTIFFS' APPENDIX
OF FACT IN OPPOSITION
TO DEFENDANTS' MOTIONS
FOR SUMMARY JUDGMENT**

Date: September 9, 1991
Time: Discretionary
Ct: Hon. James M. Ideman

20 Richard Aznaran was born on December 16, 1949. RA Set I at 6.
21 1/ In April 1967, RA Set II at 702, he joined the Marines at 17. RA
22 Set I at 8. He served as an Air Controller Tower Operator. RA Set
23 II at 702. He performed his duties under combat conditions at Da
24 Nang, Dong Hoi and KeSan, RA Set I at 420, 507, which involved the

25
26 ¹ Citations to "VA at ____" are to the deposition of Vicki
27 J. Aznaran excerpts of which are attached hereto as Exhibit A.
28 Citations to "RA Set I at ____," refer to the first set of
deposition of Richard Aznaran excerpts of which are attached
hereto as Exhibit B. Citations to "RA Set II at ____," refer
to the first set of deposition of Richard Aznaran excerpts of
which are attached hereto as Exhibit C.

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1 the control of all manner of military air traffic. RA Set I at 421.
2 After four years of training and active duty, RA Set II at 703,
3 during which time he obtained a top-secret military clearance, Id.
4 at 722, Richard was honorably discharged. Id. at 732. Had
5 Scientology not intervened in his life's direction, Richard would
6 have been an Air Traffic Controller in civilian life, Id. at 703,
7 for which he had been tested, qualified and accepted by the Federal
8 Aviation Administration. RA Set I at 425-426.

9 After his return from Viet Nam, Richard "was not interested in
10 getting involved with any type of church or religion" RA
11 Set I at 276. In August 1971, however, his friend, Gary Franks, was
12 subjugated by Scientology and kept trying to recruit Richard. Id.
13 at 266. Franks told Richard "it really wasn't a religion, that they
14 [claimed it was] simply for tax purposes" and described its
15 activities as "self-help kind of thing." RA Set I at 266, 276; Set
16 II at 368; RA Set II at 370. Had Richard been told that Scientology
17 was a religion, he "wouldn't have gotten involved in it." RA Set II
18 at 373. Franks told Richard about "operating thetans" which was a
19 state of being where "one would be able to operate without the
20 burdens of your physical body." RA Set I at 271; VA at 546. In
21 reliance thereon, in September 1971, RA Set I at 274, Richard went
22 to the Dallas Scientology franchise, RA Set I at 266-67, where he
23 "walked in the door and was given a personality test to take"
24 [which was] evaluated for [him] and [he] was told that [he]
25 was in big trouble and that what [he] needed to handle this
26 was the communications course. . . . And then they take you
27 and show you -- and tell you how the communications course --
28 the personality test is divided into ten personality traits,

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1 whether you are stable, unstable, happy, unhappy . . . all
2 these different points and then what they mean in combination
3 with other. . . . And then they take you and show you -- and
4 tell you how the communications course will help . . . "

5 RA Set I at 279.

6 Scientology represented itself as a science, RA Set II at 402,
7 and its representatives stated that its practices involved the
8 application of scientific principles, RA Set II at 404, which had
9 been developed by Hubbard. RA Set II at 398-400.

10 "Starting in 1971 when . . . Scientology and Dianetics were
11 first presented to me, I was a recent returning vet from
12 Vietnam, I had just been released from the Marin Corps, I was
13 presented with what was identified to me as a science that had
14 been developed by this person who is a Ph.D. and a nuclear
15 physicist and who had been twice pronounced dead and who had
16 been crippled and lame and healed himself . . . and that he
17 had developed this science and that this science and had been
18 researched to be just 100 percent truth."

19 RA Set II at 393.

20 During the introductory lecture at the Dallas franchise,
21 Richard was instructed about "engrams." Each individual
22 "supposedly started receiving engrams immediately after
23 conception and these so-called prenatal engrams had an effect
24 on you for the rest of your life and that these prenatal
25 engrams were built upon and added to by other engrams
26 subsequently received and, you know, supposedly just leaves
27 you in a big mess." RA Set I at 273.

28 As had Franks, the lecturer told Richard that Scientology was

1 a religion only for tax purposes and that Scientology was rendering
2 services of a spiritual and psychological nature that would make
3 him become a better person. RA Set II at 619-20.

4 In addition to the above, Gary Franks and other Scientology
5 staff members told Richard that he could only deal with the mental
6 danger and harm caused by "engrams" through a procedure called
7 "auditing" ²/ which would also cause the thetan to become free of
8 the body so as to achieve extremely high levels of ability.

9 "[T]hrough auditing you were supposed to be able to address
10 these engrams and release yourself from their effects and make
11 you a . . . 'clear' which means you no longer get sick, you no
12 longer get colds, . . . bad things don't happen to you, you
13 have incredible memory." RA Set I at 281, 284-285; RA Set II
14 at 368, 370, 399, 400; VA at 681.

15 Relying upon the special expertise with which the
16 Scientologists held themselves out and of which they spoke, Richard
17 trusted their analysis that he was at grave psychological risk, and
18 became involved in Scientology. Ultimately he commenced auditing to
19 protect himself from further jeopardy from the danger his mentors
20 had advised him were the consequence of engrams. RA Set I at 283.
21 Richard started to become brainwashed into believing that
22 Scientology was effective, and, in turn, "passed this information
23 on to others." RA Set II at 639-41.

24 Vicki McRae was born May 15, 1951. VA at 500. In May 1972,
25 Vicki met Richard at Mountainview Junior College in Dallas. RA Set
26

27 ² Auditing is a process of training a person in the tenets
28 of Scientology through use of an instrument called an "E-
Meter." VA at 534. The person subject to auditing must respond
to directives and questions posed by the auditor. VA at 1148.

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1 I at 311-312; VA at 511, 518. She was confused and searching for
2 meaning. VA at 507. Richard tried to interest Vicki in Scientology
3 by sharing his interest with her. RA I at 313-314. ^{3/} It was the
4 first that she had heard of it. VA at 519. He started talking to
5 her about Scientology and "Dianetics" which is opposed to the
6 consumption of drugs. Id. at 511. Richard parroted what had been
7 told to him and said that L. Ron Hubbard had developed this science
8 and had scientifically proved his ability to increase people's
9 I.Q.s, had brought himself back from death twice, had been blinded
10 in the war and healed and healed himself and that Scientology would
11 make her a better person. He got Vicki to go to the franchise by
12 telling her she should find out about it so that the Scientologists
13 could persuade her regarding Hubbard's claims. RA Set II at 636-37.
14 Richard said that he thought it would be valuable to pursue. VA at
15 524. Like Richard, it was her idealism that initially made Vicki
16 become involved with Scientology because she "thought that it was a
17 way to improve myself and others." VA at 531.

18 Richard and Vicki attended a lecture on Scientology given by
19 Whit Whitford at the Scientology franchise in Austin, Texas.
20 Whitford demonstrated an E-Meter while discussing how through it he
21 could tell what was happening in the minds of various people in the
22 room, including their problems with engrams, VA at 525-27, which
23 were described as moments of pain which would cause one's behavior
24 to be unconsciously controlled. VA at 529. He stated Scientology
25 was a "new science" which provided great benefits to those who
26 partook of it. VA at 1244. Whitford represented that Scientology

27 _____
28 ³ After her indoctrination, Vicki, in turn, attempted to
obtain the involvement in Scientology of her sister. VA at
498-99.

1 "would not interfere with religious beliefs and you could attend
2 whatever church you were already in . . . and not to be concerned
3 about the fact that it was called a church because . . . that was
4 just something that we would understand later . . . and that we
5 could tell our parents that we were still Catholic, Baptist,
6 whatever we might happen to be." VA at 526.

7 Whitford recommended taking a personality test after the
8 lecture which would be evaluated by a staff member who would then
9 personally interview you and "tell you what you needed or what
10 could be done for any specific problem that you might have . . ."
11 VA at 527. Although Vicki "had quit using drugs" she "definitely
12 felt that [she] could use some help" getting herself more together.
13 VA at 532. The first course she took was the "communications
14 course." VA at 533. She saw it as a way to improve herself and
15 others. VA at 531. Vicki was told that auditing was "counseling
16 [where she] would handle specific things in [her] mind that might
17 need handling and in [her] life" by eliminating engrams. VA at 534,
18 542.

19 In Scientology, every person has what is called a "case."
20 One's "case is what is considered to be your reactive mind, the bad
21 side of you, . . . and this case gain means that you have a
22 lessening" of the reactive mind. RA Set II at 511. The lessening of
23 the reactive mind is what is called "case gain." Ibid. 4/

24
25 ⁴ If one is "out ethics," one cannot make case gain. Out
26 ethics is defined as "counter intentionness." A person with
27 proper intention is "trying to pursue their own salvation and
28 the salvation of others through Scientology techniques. [¶]
Any other or counter intention to that is considered out
ethics. [¶] For example, if . . . you are a staff member, you
are allowed one hour with your child per day. If you were to
demand an hour and a half, that would be considered other
(continued...)

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1 "[The] concept of having a reactive mind was explained . . .
2 and how people were the effects of their reactive minds and
3 how the proven, scientific techniques in the form of
4 Scientology and Dianetics, their adverse effects could, in
5 fact, be done away with and, in fact, the whole reactive mind,
6 itself, could be done away with. Reactive mind was presented
7 much as what could be compared to like the subconscious mind,
8 for example."

9 RA Set II at 620-21. The representation that Scientology technology
10 would scientifically improve the Aznarans' well-being was stated
11 repeatedly over the entirety of the Aznarans' affiliation with
12 Scientology. RA Set II at 622-23; RA Set I at 347-48, 359. Richard
13 believed these representations from 1971 until the time he left
14 Scientology. RA Set II at 626, 630-33, 643-46, 652-56. When he was
15 in Scientology, he was brainwashed into believing Scientology was
16 effective, RA Set II at 639, became obedient and made the same
17 representations to others. RA Set II at 637-43.

18 Richard and Vicki were married on July 8, 1972. RA Set I at
19 322. Later in 1972, Scientology franchise owner Pat Stetsel told
20 Vicki that

21 "if I did not buy auditing and Richard did not buy auditing
22 that we were going to get much worse, very fast, and that we
23 weren't making good progress on a course that we were taking
24 and that we would end up . . . probably divorced, probably in

25
26 ⁴(...continued)
27 intentionness, and that would be out ethics, and you would
28 have to go through this writing up overts, security checking
and all that." RA Set II at 528. Case gain cannot occur if one
is connected to a "suppressive person." RA Set II at 526-27.
For explanations of "writing up overts," "security checking,"
and "suppressive persons," see infra.

1 dire straits, as drug addicts . . . and that we must start
2 paying for auditing right away, and if we needed to sell
3 something, then we should go sell something, whatever we
4 needed to do." VA at 846, 851.

5 Vicki held Stetsel in "high regard" and "high esteem" and
6 "felt that what she said was true" which caused Vicki great worry
7 and trauma. VA at 845-47. Stetsel made Vicki feel guilty when
8 Stetsel discovered that the Aznarans had taken a vacation instead
9 of spend the money on auditing. VA at 849-50.

10 Relying upon the special expertise concerning which Pat
11 Stetsel spoke and trusting and relying on her analysis that her
12 marriage with Richard was at risk, Vicki became involved in
13 Scientology auditing which she commenced in order to protect
14 herself from further harm from engrams. VA at 852, 683-84. The
15 Aznarans started to pay for auditing, receiving extra attention on
16 how to raise the money to do so. It became a central focus of their
17 life. VA at 852-53. Vicki was audited every other day. VA at 537.

18 At the outset of their initial introduction to Scientology in
19 1972 and 1973, Scientologist staff members, including Pat Stetsel
20 and Dean Stokes of the Mission Office Worldwide, ⁵/ continued to
21 represent to Richard and Vicki that, the discoverer of Scientology
22 technology, L. Ron Hubbard, had been a nuclear physicist, on two
23 occasions had returned from the dead, had been crippled and blinded
24 and healed himself and had spent a tremendous amount of effort
25 researching his process of Dianetics. In essence, in 1972 and 1973,
26 Stetsel and Stokes represented to the Aznarans that involvement
27

28 ⁵ The Mission Office Worldwide subsequently became
 Scientology Missions International, Inc. RA Set II at 628.

1 with Scientology would not hurt them; it would benefit them and had
2 their best interests at heart. RA Set I at 290; RA Set II at 393-
3 95; VA at 1236, 1249-1250. Vicki never considered Scientology to be
4 a religion, except when to do so was considered expedient by the
5 organization. VA at 1285-86.

6 Reliance on the misrepresentations regarding Hubbard and the
7 nature and purpose of Scientology caused both Richard and Vicki to
8 be exposed, without his or her knowledge or consent, to coercive
9 persuasion which covertly inculcated the principles and practices
10 of Scientology into their subconscious by being subject to the
11 imposition of coercive techniques for all of the 15 years they were
12 involved with Scientology. RA Set II at 641; VA at 844. On the
13 heels of the misrepresentations set forth above, and without their
14 knowledge or consent, Scientology coercively persuaded the Aznarans
15 into continuing to affiliate with Scientology. VA at 1226. After
16 the initial lectures, this was largely done through "auditing."

17 "There is this process by which you are put on the Meter, and
18 you are trained into Scientology definitions and meanings of
19 words until the point where there is a whole 'nother language
20 that you speak that other people don't. And this language has
21 other definitions other than -- for words other than what
22 other people -- its like your disagreements are handled . . .
23 well, anything in Scientology that you might have disagreement
24 with are handled by that method... if you have disagreements
25 with anything, it is extensively handled, whether it is on the
26 Meter or other ways until you no longer have those
27 disagreements . . . I think that the training on the auditing
28 and the mind, specifically, brings you to the point of

1 acceptance of the upper levels, like a blind acceptance,
2 because they really won't stand the scrutiny of someone who
3 has not undergone that."

4 VA at 1174-1175; see also, RA Set II at 370.

5 At the end of every auditing process, the auditee was "forced
6 to write a success story." RA Set I at 362. ⁶/

7 Employment of the E-Meter was also used to detect disagreement
8 with or the withholding of information from Scientology in a
9 procedure call security checking. RA Set II at 440.

10 "You get security checked about what you think . . . if you
11 even think anything that or even possibly be misconstrued as
12 being out of line or that if anybody even thinks you thought
13 something or did something . . . then you get security
14 checked, and you get what is called ethics handlings . . .
15 there is no such thing as free thought."

16 RA Set II at 400. It involves "sitting there being worked over by
17 some guy with a machine hooked up to them." RA Set II at 677-78.
18 The very fact that one is tempted to do what Scientology prohibits
19 means that one is fundamentally wrong. RA Set II at 679. If "you
20 have disagreements with anything, it is extensively handled,
21 whether it is on the Meter or other ways [such as the RPF], until
22 you no longer have those disagreements." VA at 1175. The only time
23 that Scientology technology ever fails "was if the person himself
24 was evil." RA Set II at 668.

25 By fall 1972, Vicki was brainwashed. VA at 1170.
26

27 ⁶ A "success story" is Scientology terminology "that
28 whenever . . . you are forced to write up OWs, overts and
withholds . . ., you have to continue them until you are
willing to write up a success story." RA Set II at 754-55.

1 In the spring 1973, Richard was notified that he had been
2 accepted by the FAA as an Air Traffic Controller and was at the top
3 of the waiting list for employment. RA Set I at 427-28. He would
4 have been in the GS-11 pay bracket, was scheduled to start work in
5 early 1974 and would have been employed at the Dallas-Fort Worth
6 Airport. RA Set I at 430-32.

7 Some months later, Richard and Vicki became staff
8 Scientologists in December 1973. RA Set I at 316; VA at 551-52.
9 They quit their other employment and received only room, board, RA
10 Set I at 318-20, and \$10 per week for working 15 hour days. VA at
11 841. At this point Richard and Vicki had taken the Communications
12 Course, the Hubbard Qualified Scientist Course and had started
13 the Primary Run Down Course. RA Set I at 434; VA at 533.

14 Starting in December 1973 and continuing through April 1987,
15 Richard was surrounded by Scientologists during almost all of his
16 waking and sleeping moments. During this time Richard accepted the
17 organization's practices and beliefs "without any question or
18 anything else" RA Set I at 38, because the system suppressed him
19 from engaging in free thought. It employed techniques limiting his
20 exposure to ideas not promulgated by L. Ron Hubbard. RA Set I at
21 38-39. Richard infrequently had access to newspapers, television or
22 other sources of public information because such activities were
23 prohibited. RA Set I at 40-43. During her affiliation with
24 Scientology, Vicki also read little that was critical of the
25 organization. ⁷/ VA at 481, 492-94, 626-34. If his obedience to
26 Scientology faltered, Richard would be called before an ethics
27

28 ⁷ In Scientology, negative press is denominated
"entheta." VA at 482.

1 officer and subjected to an "ethics handling." RA Set I at 33.

2 Being in Scientology was like "being in the middle of a
3 science fiction movie" RA Set II at 398 that made Orwell's "1984
4 look like a picnic." RA Set II at 400. Over the years, on an
5 escalating level, Richard learned to

6 "sacrifice my own feelings and beliefs, and what have you, so
7 that [he] could . . . maintain a status quo." RA Set I at 44.
8 Scientology "was so all encompassing that [it] even controlled
9 your thoughts . . . every facet of your existence. . . [no one
10 has] seen total obedience until they get into Scientology." RA
11 Set II at 677.

12 One is "to do what you are told, no matter what." RA Set I at 47.

13 In January 1974, the Aznarans had been married for a year and
14 one half. RA Set II at 499. Richard was convinced that Hubbard's
15 claims regarding Scientology and himself were true and that Stokes
16 and Stetsel had been trained and knew almost as much as did L. Ron
17 Hubbard. RA Set II at 393-94. Stokes told Vicki that she had to
18 "disconnect" from Richard, RA Set II at 531; VA at 550, because
19 Richard was evil. RA Set II at 394.

20 At that time they spent their time at the Scientology
21 franchise called Scientology of the Southwest in Dallas which was
22 run by Dean Stokes. RA Set II at 497. Richard worked 16 to 18 hours
23 per day for Stokes, receiving little sleep and food. RA Set II at
24 501.

25 One night, after working hours were over, so that there would
26 no interference with production, Stokes ordered his staff,
27 including the Aznarans, to "write up what, in Scientology, are
28 called overts . . . which in layman's terms are transgressions

1 against a moral or social code," as well as "withholds," because
2 they weren't making enough money. RA Set II at 500-01. "Withholds
3 are simply things you would not want other people to know." RA Set
4 II at 503.

5 Stokes had the entire staff stay up all night and write
6 confessions into the next day for a 24-hour period. Periodically,
7 he would read the confessions and then yell and scream about them
8 at the staff, VA at 861, that the staff "hadn't written up enough,
9 and . . . weren't going to bed or . . . weren't leaving that room
10 until [they] had written them all up." RA Set II at 501.

11 "[We were] forced to write up withholds until you achieve what
12 is called a free needle on an E-Meter . . . and these
13 withholds include . . . everything. In fact, it is pointed out
14 to you that you have to write up sexual withholds . . .
15 [which] are supposed to include everything from masturbation
16 to whatever . . . and you have to go into great detail on
17 them. Otherwise, you are not . . . really clearing yourself of
18 these things."

19 RA Set II at 503. The confessions had to be read out loud before
20 the others. RA Set II at 504. The E-Meter was used to detect
21 rebellion or withholding information. RA Set II at 440.

22 The next day, Stokes' staff for hours had to engage in what
23 Scientology calls "TR-0," a specific "training routine," called
24 bull-baiting, RA Set II at 522-23, interspersed with writing up the
25 confessions.

26 ". . . bull-baiting is a process where two people sit across
27 from each other. The victim or what they call the student has
28 to sit there and not respond or react in any way . . . the

1 person who is opposite . . . can conduct [himself] in any
2 manner whatsoever trying to elicit some type of response. And
3 it's quite common . . . in bull-baiting sessions for them to
4 be very heavily sexual in context as far as . . . trying to
5 what they call push buttons or to cover real or imagined
6 faults . . . For example, it wouldn't be unusual for a person
7 who had lost a hand to be bull-baited on not having a hand.
8 That would be real as opposed to imagined fault. What I mean
9 by imagined fault is maybe the guy thinks his nose is too big
10 so they are going to bull-bait him on that."

11 RA Set II at 502. See also, VA at 861-62, 1222. The entire process
12 was extremely degrading. RA Set II at 502.

13 During the course of this procedure of alternating bull-
14 baiting with publicly reading written confessions, which took
15 place, at minimum, over a 48-hour period of time, Stokes would call
16 his staff one-at-a-time into his office to decide whether the
17 individual had written up enough or whether he had to write up some
18 more. RA Set II at 504.

19 Stokes assigned a "big gun," Ken Kizer, to bull-bait Richard
20 and break him down. Kizer, however, was not successful, became
21 upset at his failure and broke down himself. RA Set II at 505-06.

22 Then, Stokes had two separate conversations with each of the
23 Aznarans. RA Set II at 499. First, Stokes told Vicki that in
24 writing up their overts, all the staff members realized they were
25 "suppressive persons," except Richard, and Richard therefore was
26 evil. RA Set II at 507. Stokes said the reason Richard did not
27 realize he was a suppressive person

28 "was because [he] really was a suppressive person. . . A

1 suppressive person will never realize he is a suppressive
2 person, but if you are not a suppressive person you are going
3 to realize you were a suppressive person." RA Set II at
4 506.

5 A suppressive person is anathema to Scientology's edicts.

6 ". . . there is nothing worse in Scientology than being a
7 suppressive person, because a suppressive person is constantly
8 committing crimes on everybody around him. . . He is just
9 constantly doing them in. A suppressive person is evil to his
10 very core . . . a suppressive person has . . . extremely
11 limited hope over ever achieving salvation. In Scientology it
12 is viewed that once the entire universe is cleared, when it is
13 down to the point that the rocks are cleared, that's when you
14 clear suppressive persons. . . ."

15 RA Set II at 507. ⁸/

16 Stokes told Vicki that Richard's only hope for salvation was
17 for Stokes to personally handle his situation because Stokes, as an
18 "operating thetan," was the only one capable of "confronting this
19 evilness and handling it." RA Set II at 507. Stokes said to her
20 that Richard would "have to be completely isolated with no mental
21

22 ⁸ "[A] suppressive declare is a formal policy letter,
23 ethics order, . . . issued by the Church of Scientology
24 indicating that a person is kicked out of the Church or is
25 handling himself in some kind of way that is contrary to the
26 Church, and the Church basically considers him a threat . . .
27 and he is formally assigned the status of being a suppressive
28 person. [¶] A suppressive person in the eyes of the Church is
someone who is just totally evil -- everything they do is
motivated by evil purposes and their only goal is to harm or
destroy, and this is how the Church justifies the fair game
status on these people and why it makes it okay for them to be
lied to [and] destroyed." RA Set II at 306. In order to become
Fair Game, a person doesn't necessarily have to be formally
declared a suppressive person. RA Set II at 83.

1 or spiritual crutches of any kind . . . and that Vicki would have
2 to confront divorcing [him] because as long as she was with [him],
3 she was a crutch for [him]." RA Set II at 508.

4 Stokes told Vicki she was "PTS," a "Potential Trouble Source"
5 because she was connected to a suppressive person, her husband. The
6 reason persons connected to a suppressive person are Potential
7 Trouble Sources is because they tend to cause trouble for
8 Scientology and are unable to make "case gain." RA Set II at 508-
9 09, 523-525. One who is connected to a suppressive person must
10 "disconnect." RA Set II at 531.

11 "For example, if a person comes into Scientology and does not
12 make gains . . ., he is called in to find out if he is the PTS
13 or if there is somebody in his environment who is suppressive
14 to him, meaning somebody talking to him about Scientology
15 being bullshit. So therefore, that's a suppressive, he is PTS
16 and he won't make gain until he disconnects from that
17 suppressive person . . . [¶] So, yes, he did tell Vicki that
18 she was a PTS person because she was connected to [Richard]
19 and that [he's] a suppressive and that she will have to
20 confront divorcing [him]."

21 RA Set II at 509.

22 After Stokes advised Vicki that she would have to divorce
23 Richard, he reassigned Kizer to continue bull-baiting Richard
24 before Stokes joined the process himself.

25 "And then Vicki came in with Dean . . . while I'm being bull-
26 baited, I'm not supposed to react or any of that kind of
27 stuff, and tell me that I'm a suppressive and that she was
28 disconnecting from me and was going to divorce me and that was

1 the end of it. . . Dean had, you know, propped her up and
2 everything so she could come in there and say it and not cry
3 or anything and then leave and then be messed up again."

4 RA Set II at 510.

5 Richard did not know whether this was a "part of the bull-
6 baiting . . . just so they could finally get a reaction or is this
7 reality?" It caused him to go "totally bozo." Stokes told Richard
8 he believed Richard was a suppressive person. RA Set II at 516.

9 Vicki, extremely upset, RA Set II at 510, experienced "a great
10 deal of mental conflict about if this was true or if it was not
11 true, or what I should do . . . and finally I accepted it as true."
12 VA at 863, 1222. Thus, Vicki broke up with Richard and they got
13 divorced. RA Set I at 331; VA at 1221-22. Richard "was really
14 devastated, . . . really destroyed," RA Set II at 396, and thought
15 Scientology was the "only road to salvation." RA Set II at 381.

16 In consequence, Richard believed that he was a suppressive
17 person and "the only way [he] could ever get better was by
18 continuing through this church, under [Stokes] direction." RA Set
19 II at 394, 516, 534. Richard "was convinced that [he] had to
20 dedicate [his] every energy . . . to Scientology in order for me to
21 ever escape from this evil that I was consumed with." RA Set II at
22 394.

23 Relying on Stokes, Richard aspired to "a point where [he]
24 would stop being evil and become a cleared being as defined by
25 Scientology, meaning that [he] would be free from diseases and
26 illness and sickness, and [he] would have a perfect memory and all
27 the things that are described in Dianetics." RA Set II at 395.

28 At Stokes' instruction, Richard sold "everything [he] owned,"

1 including his car, and gave the money to Stokes. RA Set II at 512.
2 Stokes also instructed Richard that if he "worked hard enough and
3 did enough good things, [he] would be able to overcome all the evil
4 things [he] was doing at the same time simply because [he was] a
5 suppressive person." RA Set II at 512.

6 Thus, Richard's first task was to renovate Stokes' house so
7 that it could be sold. RA Set II at 510-11. Richard was to do three
8 things, write up overts, work, and when he "physically just
9 couldn't do another thing, take a nap." RA Set II at 513.

10 Within one month of having separated the Aznarans, Stokes
11 commenced a sexual relationship with Vicki, RA Set II at 520-21.
12 Richard continued to believe he was a suppressive person through
13 1978 when he joined the Sea Organization. RA Set II at 536-39. ⁹/

14 Stokes decided to take Vicki to Los Angeles for training as a
15 staff member, VA at 574, and left Richard to run the franchise
16 which involved "supervising the students, try[ing] to get new
17 people in there and keep[ing] the students paying money so that
18 they would be supported while they were in Los Angeles." RA Set II
19 at 513. Richard had to obey. If he "even had negative thoughts
20 about anything, [he] was told it was just an indication of . . .
21 how evil [he] was." RA Set II at 396. He worked 16 hours per day
22 and rarely got a day off. Ibid.

23 When in early 1974, when Stokes left for Los Angeles with
24 Vicki, he ordered Richard to commence divorce proceedings. RA Set

25
26 ⁹ When in 1982 Stokes was declared a suppressive person,
27 "[t]hat kind of lightened the load a little bit" on Richard's
28 belief that he was a suppressive person because it caste some
doubt on the validity of such status. RA Set II at 532-33.
There was not any point in time, however, when Richard was
told that he was not any longer a suppressive person. RA Set
II at 533.

1 II at 514.

2 In Los Angeles, Vicki received extensive training. VA at 555-
3 58, 581-86. She continued to be told that Scientology was a "new
4 science" developed by Hubbard that "would make you more capable or
5 better." VA at 1244.

6 In summer 1974, as Richard and Vicki were getting a divorce,
7 Vicki and Stokes continued their sexual relationship, VA at 1216,
8 as they lived together in Los Angeles. While involved with Vicki,
9 Stokes brought two girls to the quarters into which he had moved
10 with Vicki and said to her "Look, these girls need to confront
11 taking their clothes off with me." When Vicki responded there might
12 be some alternative, Stokes said

13 "No, no, I don't want you to be suppressive about this and be
14 putting stops on anything, because these girls need to take
15 their clothes off with me personally, and you are going to
16 have to leave the room while we do this . . . We, actually,
17 you can stay and watch if you would like . . . Then the next
18 day . . . he said 'There is another real nice girl that I want
19 you to meet, because I am going to sleep with her, and this is
20 something she needs to do to handle her relationship with her
21 boyfriend, which is just not going well.'" VA at 863-65.

22 Vicki's Los Angeles training caused additional trouble and
23 difficulty for her when she objected to a woman who had cancer
24 being told that Expanded Dianetics would cure it. VA at 1139-40. In
25 addition to that, the auditing made her physically ill for two
26 weeks wherein she couldn't sleep. VA at 1146-47.

27 By fall 1975, Richard married Tammy MacElroy whom he brought
28 into the group. RA Set II at 519.

1 In the summer 1976, Stokes married Vicki. RA Set II at 519, VA
2 at 1216. When she objected to his sexual philandering, he would
3 scream at her and tell her the problems were all caused by her
4 spiritual defects. VA at 866.

5 In Dallas, after Stokes and Vicki returned from their first
6 trip to Los Angeles, Richard was trained as an auditor and held the
7 positions of Executive Director, Deputy Executive Director,
8 registrar, auditor, and case supervisor. ¹⁰/ RA Set I at 325.

9 In 1977, Vicki received upper level Scientology training at
10 the Advanced Organization of Los Angeles. VA at 596-97.

11 In late 1977, at Stokes' direction Vicki went to a Scientology
12 facility called Flag Land Base located in Clearwater, Florida, for
13 extensive training to be a Scientology executive. VA at 598-603.

14 Meanwhile, Stokes had a psychotic break which resulted in his
15 belief that he was Elvis Presley. He would sing all night, spent
16 the cash of the Scientology franchise on a limousine with big horns
17 on it and on extravagant jewelry and clothing. VA at 604, 1223.

18 When Stokes and Vicki subsequently separated, she and Richard
19 resumed their relationship. RA Set I at 349. Vicki had obtained a
20 lawyer to divorce Stokes when she received a Telex from Maggie
21 Butterworth, L. Ron Hubbard's Communicator International, to
22 discharge her lawyer because it was a suppressive act to hire an
23 attorney. Vicki, of course, not wanting to be declared a
24 suppressive person and be the subject of Fair Game, complied. VA at
25

26 ¹⁰ A Case Supervisor reads the results of auditing that has
27 taken place of a "pre-clear", reviews and, if necessary,
28 modifies the plans for future auditing. VA at 553. Such
results of auditing are kept in a pre-clear folder which, in
addition to the case supervisor, may be reviewed by the
cramming officer and ethics officer. VA at 559.

1 360, 910-12. Vicki divorced him in late summer 1978. VA at 609.

2 Richard received Scientology training at the Dallas franchise
3 until 1978, RA Set II at 623-24, because in late 1977 he was
4 recruited to join the Sea Organization, the upper level of
5 Scientology. RA Set II at 395. He believed that joining the Sea
6 Organization was the next step that was required in order to free
7 himself from being evil, a suppressive person. RA Set II at 396.

8 In 1978, the Aznarans remarried. They initially intended to
9 open their own Scientology franchise, but went into the Sea
10 Organization instead. RA Set II at 841. In August, RA Set II at
11 397, they went to Flag Land Base in Clearwater, Florida, VA at 609,
12 to join the Sea Organization. RA Set II at 538; Va at 605. The Sea
13 Organization is an elite organization within Scientology, RA Set I
14 at 335, the members of which staff the positions of power and
15 authority in the various entities which comprise Scientology. VA at
16 341. Sea Organization members would do whatever they were told to
17 do. VA at 606; RA Set II at 398.

18 Scientology is based upon the writings of L. Ron Hubbard. VA
19 at 554. Scientology's public relations posture was through its
20 spread across the planet, war, insanity and criminality would be
21 eliminated. In fact, however, its actual goal is "simply to make
22 money." RA Set I at 344. It purports to offer a means of self-
23 improvement, but in fact is comprised of "obvious sheep being run
24 by obvious leaders . . . you definitely had the ones giving the
25 orders and the ones serving in blind obedience." RA Set II at 648.

26 Before the death of L. Ron Hubbard, the entirety of the real
27 power in Scientology was placed with Hubbard. Then, the hierarchy
28 of authority descended to Pat and Anne Broeker, David Miscavige,

1 Norman Starkey and Lymon Spurlock. RA Set II at 650. After
2 Hubbard's death in 1986, those who "kissed up to Miscavige
3 [obtained] real power." RA Set II at 651. Miscavige was the one who
4 really held the power. RA Set II at 845. Richard feared David
5 Miscavige because of the power he wielded in Scientology. RA Set I
6 at 607. Miscavige could issue suppressive person declares. RA Set
7 II at 307.

8 As Richard received Scientology's "upper level of auditing,"
9 RA Set II at 397, he still believed that he was participating in a
10 science that had been developed by L. Ron Hubbard. RA Set II at
11 398. Richard wanted to become a case supervisor and obtain levels
12 of training that only were available through the Sea Organization
13 so that he could obtain the benefits which he originally had been
14 promised. RA Set I at 340-43.

15 Vicki became a member of the Commodores Messenger
16 Organization. VA at 325. Vicki's first position was Special Unit
17 Liaison. VA at 610. She was sent on a mission called the Clearwater
18 October Miracle which was to take personnel from various entities
19 at Clearwater and send them to work for L. Ron Hubbard at Gilman
20 Hot Springs. VA at 361. Her next position was Investigations Chief,
21 ^{11/} VA at 611, and then Productions Executive before going back to
22 Investigations Chief. VA at 614. She also became a missionary and
23 then Deputy Senior Messenger. VA at 614-15.

24 Richard received his initial Sea Organization indoctrination
25 through the Flag Readiness Unit and Estates Projects Force. RA Set
26

27 ¹¹ As Investigations Chief, Vicki sent a number of people
28 to the Rehabilitation Project Force. As will further
described, *infra*, RPF is a form of punishment, VA at 617-19,
involving, in part, imprisonment. VA at 1630.

1 I at 325. In the Sea Organization, ethics handlings were regularly
2 imposed. RA Set II at 758.

3 Then, he worked in the public relations offices of L. Ron
4 Hubbard where he was promoted to "Public Relations Officer
5 International, where [he] was supposed to represent Hubbard on all
6 public relations fronts across the planet." RA Set I at 326.

7 The Aznarans remained at the Flag Land Base in Florida from
8 1978 through 1981. RA Set I at 365; RA Set II at 756. The work
9 hours there were from 16 hours per day to 72 hours in a row in
10 exchange for accommodations, food, training and \$17.20 per week. RA
11 Set I at 371-73; VA at 610, 613. Sometimes they "were not even
12 allowed to go to sleep for days because [they] would have to be
13 working." RA Set II at 168.

14 In 1978, Richard spent about three weeks in the Rehabilitation
15 Project Force which severely degraded him, and during which Vicki
16 was allowed to see him 30 minutes per day during dinner. VA at 754-
17 55. Richard, however, never told this to his wife because "you
18 don't say things like that in Scientology and get away with it." VA
19 at 756.

20 When the Aznarans were in the Sea Organization "there was a
21 whole period where all Scientology staff members in the Sea
22 Organization had to be trained as ministers and ordained in very
23 short order so that they would not be eligible for [the] draft and
24 so that they could avoid payment of Social Security Tax." RA Set I
25 at 305; VA at 563.

26 In 1980, Vicki was Chief of the Investigations Unit of the
27 Commodores Messenger Organization. VA at 325. At that time, while
28 Richard and Vicki were still in Clearwater, under the orders of

1 Mike Render, the Deputy Commanding Officer of the Commodore's
2 Messenger's Organization, VA at 323, they spent several days and
3 nights with 30 or 40 other members of the Commodores Messenger
4 Organization, shredding documents which showed the control that L.
5 Ron Hubbard exercised over Scientology. VA at 315, 324.

6 In July 1981, Vicki went to Los Angeles/Gilman Hot Springs and
7 Rick followed in October, RA Set I at 367, staying for four years.
8 RA Set I at 40-41. Richard was assigned to the Special Unit at
9 Gilman. RA Set II at 844. There were no children at Gilman, VA at
10 772; it was populated by 700 members of the Sea Organization. VA at
11 775.

12 Vicki received her orders regarding the Guardian's Office from
13 Terry Gamboa of Author Services, Inc. the personnel of which made
14 the decision for the other Scientology-related corporate entities.
15 VA at 365. Vicki was in charge of the Guardian's Office missions
16 and the United States Guardian's Office. At one point, Gary
17 Reisdorff, the senior-most person over all the Guardian's Office
18 missions worldwide, became enraged at Vicki because anti-
19 Scientology attorney "Michael Flynn wasn't being handled properly
20 and that the GO [Guardian's Office] had not done anything to render
21 him harmless, nothing effective." VA at 914-15. Reisdorff
22 threatened to assign Vicki to physical labor at Rehabilitation
23 Project Force. VA at 915-16.

24 In 1981, as a missionary from the Commodores Messenger
25 Organization which was then led by John Nelson and Gail Reisdorf,
26 Vicki destroyed documents in the Guardian's Office at the direction
27 of Steve Marlowe in order to prevent their seizure by the Internal
28 Revenue Service. VA at 316, 326-27.

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1 Author Services personnel, David Miscavige, Marty Rathbun and
2 Norman Starkey, as well as personnel from the Office of Special
3 Affairs, supervised the Wollersheim litigation. VA at 366. At this
4 time, while Vicki - accompanied David Miscavige, Ray Mithoff and
5 Norman Starkey - publicly gave speeches to large gatherings of
6 Scientologist in 1986, VA at 1287, she also, during the course of
7 the Wollersheim trial, in defiance of a court order destroyed
8 documents in his pre-clear folders. VA at 1247. Anticipating an
9 adverse judgment in Wollersheim, Scientology also reorganized its
10 corporate configuration in an attempt to conceal assets. RA Set II
11 at 643.

12 When Richard worked as a missionary in the Los Angeles area,
13 generally he worked 16 hours per day. RA Set I at 371. He was
14 officially posted at Office of Special Affairs International, RA
15 Set II at 482, and then at Special Unit in Gilman Hot Springs. RA
16 Set II at 483. Rick was a missionary from October 1981 through
17 August 1982 at which time he was sentenced to the Rehabilitation
18 Project Force for 99 days, RA Set I at 368; RA Set II at 752-53,
19 761, by David Miscavige who, besides Hubbard, was the top man of
20 the Special Unit of the Commodores Messenger Organization
21 International at Gilman Hot Springs. RA Set II at 764-65. Richard
22 could not appeal Miscavige's action without having the appeal be
23 determined by Miscavige himself and, in consequence, obtaining
24 results "worse than [you] can possibly imagine." RA Set II at 764-
25 67. This was true of the each of the several instances when
26 Miscavige assigned Richard ethics conditions. RA Set II at 764,
27 771-76. Worse than being sentenced to the RPF was being declared a
28 suppressive person and becoming fair game. RA Set II at 768.

1 Rick was sentenced to the RPF simply because David Miscavige
2 was mad at him for not working people on a renovations project hard
3 enough, RA Set II at 752, 866, even though Richard and those whose
4 he supervised had been working 24-hours per day and risking their
5 lives with heavy equipment. RA Set II at 762. He was, however,
6 sentenced to the RPF primarily on charges of having a sexual
7 relationship with a woman other than Vicki, his wife. RA Set I at
8 369-70; RA Set II at 447-48, 751-52; VA at 1229. Miscavige told
9 Vicki that Richard had engaged in such sexual relations with
10 another woman when he had not. Ibid; RA Set II at 751-52, 814-15.
11 If Richard was punished enough, he would be more obedient. RA Set
12 II at 764. In order to get out of the RPF, Richard was forced to
13 write a "success story." RA Set II at 760-61. Such stories
14 reflected Richard's feelings as they had been engendered by
15 brainwashing. RA Set II at 755-60.

16 At the time Richard went into the RPF for 99 days, Vicki
17 started to work directly for Miscavige. RA Set II at 448-49.

18 After he left the RPF, in November 1982 Richard was posted
19 temporarily as a "Safety Officer" which initially involved acting
20 as a guard at Happy Valley over some Scientologists who were
21 "disaffected," including Bill Franks and David Mayo, in order to
22 ensure that they did not escape and were obedient. RA Set I at 374-
23 75; RA Set II at 665. He was "appalled" by the conditions at Happy
24 Valley. It was located in 2-300 acres in the middle of the desert,
25 the temperature was well over 100 degrees and the people had to
26 work days without sleep. RA Set I at 376-77; VA at 727, 731.

27 In late 1982, Richard's job as Safety Officer evolved into the
28 Deputy Establishment Executive International for Security, head of

1 security, at Gilman Hot Springs. RA Set I at 637-38. The reason for
2 the security was to make the location "operational for L. Ron
3 Hubbard and certain key executives." RA Set II at 778. The
4 protection of the audio and visual equipment was the cover, or
5 "shore story," for the security. Ibid.

6 In order to "handle church enemies," Scientology trained
7 Richard in "arrest take-down procedures, tear gas and baton," RA
8 Set II at 734, as well as the in the Federal Rules of Evidence. RA
9 Set II at 738-39. He became experienced in surveillance techniques
10 from following "church enemies." RA Set II at 741-42.

11 He set up the security guards for Gilman Hot Springs and
12 establish perimeter security so that L. Ron Hubbard could return
13 without fear of being served with process. Then Miscavige ordered
14 that all mail directed to individuals staying at Gilman had to be
15 opened, read and screened and Richard was in charge of doing that.
16 Additionally, Richard started other security forces in Los Angeles,
17 Clearwater and Denmark. RA Set I at 380-81. At first the post of
18 security officer was placed with Religious Technology Center, then
19 it shifted to the Commodores Messenger Organization International,
20 to Executive Strata, RA Set I at 637, and then in 1983-1984 to
21 Office of Special Affairs International. RA Set I at 382-83.
22 Richard was assisted by Ken Seybold. RA Set I at 668.

23 Richard then was briefly posted on the Estates Project Force
24 after which he then placed covert surveillance devices in the rooms
25 of all the staff members in Los Angeles. RA Set I at 384

26 In February 1982, Vicki became affiliated with Religious
27 Technology Center of which she became Deputy Inspector General in
28 August 1983. VA at 615. When she first went to Gilman Hot Springs

1 she accidentally entered the office of David Miscavige who warned
2 if she "ever were to come in his office again, he will blow your
3 fucking head off, you got it?" Va at 828-29. David Miscavige, like
4 L. Ron Hubbard, owned many assault and semi-automatic weapons. RA
5 Set II at 737.

6 In February 1983, Vicki was sentenced to the running program
7 at Happy Valley. VA at 695-96. Right before she was assigned to the
8 running program, she sent an unfavorable report on David
9 Miscavige's wife, Shelly, to Mr. Miscavige's seniors. When
10 Miscavige found out, he warned Vicki "If you ever send another
11 fucking report on my wife, I will blow your fucking head off, you
12 bitch." VA at 829-31. Then Miscavige sentenced Vicki to Happy
13 Valley in retaliation for Vicki having reported that Miscavige's
14 wife was not complying with certain orders. There, Vicki
15 participated in the running program which was used only as a
16 punishment. About 50 feet away from a Day Glo Orange pole out
17 people ran around the pole in circles all day long, every day, 7
18 days per week until a suitable change in attitude was noted. Vicki
19 was in the Running Program for three months. She would go through
20 Ethics Conditions but they were not enough because she hadn't
21 sufficiently changed so more running around the pole was required.
22 She became very suicidal. At any sign of fighting back, she had to
23 continue to run around the pole until she changed. "They use these
24 things to really break you." She started running at 7 a.m., quit at
25 9 p.m. and received 30 minutes each for lunch and dinner. She ran
26 in the rain and the desert heat.

27 She didn't leave because they would have pressured Richard to
28 divorce her and he might have submitted. If she left, she would be

1 declared a suppressive person and Rick would have to choose to go
2 with her and become a suppressive person himself and give up
3 Scientology, or stay and divorce her. She had seen this happen with
4 many couples. She would be subject to Fair Game. She had no money,
5 no car, no friends. She had nothing and if she left she'd have only
6 the clothes on her back and if she called parents, they would try
7 to get her to come home to care for her. And maybe Richard wouldn't
8 go.

9 "And I would look, like I'd be out on the
10 desert like all day long running around this
11 pole, you know, you'd just start thinking about
12 killing yourself. Cause your choices are so
13 bad. Every choice. Like killing yourself starts
14 looking like the best, the happiest choice to
15 make."

16 She still believed that Scientology was the only way out, but
17 also knew like her mind was snapping. She said she was close to the
18 edge, and didn't know how much more she could handle. Running
19 around a pole in the desert for three months hurts one's mind.
20 Additionally, the physical pain, just the physical pain involved
21 was extreme. Vicki lost 20 pounds. She reported that some people
22 that would come out of Happy Valley looked like they just came out
23 of a concentration camp, but relatively speaking, she had fared
24 well.

25 Vicki kept going because all she had left was Richard. She had
26 been prohibited from cultivating any outside friends. With no
27 money, and knowing she should would be fair game, Vicki believed
28 Scientology exercised total authority over her life and could do
anything to her they wanted. So she continued. Plaintiffs' First
Further Responses To Defendants' Third Set of Interrogatories [Re:
Expert Witnesses] at 11-12.

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1 After her release from the Running Program at Happy Valley,
2 Vicki helped out at Religious Technology Center. VA at 697.

3 In 1984, when Vicki was Deputy Inspector General for Religious
4 Technology Center, she presented various speeches at Scientology
5 public gatherings, VA at 635-45. She also removed documents from
6 the pre-clear ^{12/} folder of Gerald Armstrong. Judge Breckenridge
7 had order the documents produced. After Vicki had been informed of
8 this by the Office of Special Affairs and there had been a meeting
9 concerning it, she had the folders brought over to Religious
10 Technology Center. She went through the folders selecting, removing
11 and destroying documents. VA at 327-29, 1495-96, 1501.

12 In late 1984, when Richard was in the Office of Special
13 Affairs, International, RA Set I at 683, as the head of
14 Scientology's security worldwide, David Miscavige, who was being
15 investigated by the Criminal Investigations Division of the IRS,
16 held a meeting in the conference room at Author Services which was
17 attended by Vicki, Norman Starkey, Jesse Prince, and Marc Yager.
18 Vicki was the inspector general of Religious Technology Center.
19 Yager was the commanding officer of the Commodores Messenger
20 Organization International. Norman Starkey was the Executive
21 Director of Author Services, Inc. Miscavige ordered the shredding
22 of documents which "had to do with Hubbard controlling the church's
23 finances" so that the Internal Revenue Service could not seize them
24 if it executed a search warrant. RA Set I at 304-06, 386-87, 621-
25 36. The meeting was called because an informant at the Los Angeles
26 Police Department stated that the Internal Revenue Service was

27
28

¹² A "clear" is an individual who has control over himself. VA at 545.

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1 about to conduct a raid. VA at 316. Miscavige ordered Richard to
2 supervise the installation of eavesdropping equipment and tape
3 recorders in all the offices of Author Services, Inc., Office of
4 Special Affairs International, and Commodores Messenger Service
5 International so that if there was an IRS raid, it would be
6 entirely tape recorded. RA Set I at 306, 608. Such recording
7 apparatus were set up at the offices of Author Services, Inc.,
8 Office of Special Affairs International in the Commodores
9 Messengers Organization Building in Los Angeles and the Commodores
10 Messengers Organization area at Gilman Hot Springs. RA Set I at
11 659-65.

12 At the same meeting, Miscavige also instructed Richard to go
13 to Mark Ingber at Commodores Messenger Service International,
14 "the top person over all Scientology money, and I was to go to
15 him and insure that any possible copies he may have of certain
16 documents were . . . destroyed . . . any documents which
17 connected L. Ron Hubbard to . . . financial doings of the
18 church." RA Set I at 306-07.

19 Richard collected documents from Religious Technology Center
20 and Commodore's Messengers Organization, and then participated in
21 the destruction of the documents at "a big, giant shredder down by
22 the garage" at Gilman. After the shredding had been completed,
23 Richard reported back to Miscavige that his orders had been carried
24 out. RA Set I at 387, 639-50, 673; VA at 316, 332-33.

25 At the direction of Norman Starkey, Richard also set up
26 procedures designed to quickly destroy all computer based
27 information in the event that there was a raid. Drills were held to
28 insure that the computer tapes could be destroyed within a given

1 period of time. RA Set I at 652-53; VA at 316, 330-31.

2 In 1985, Vicki became Inspector General of Religious
3 Technology Center, the Aznarans' life together went downhill, RA
4 Set II at 868, because Miscavige became more hostile. He was
5 apparently jealous of the relationship among Richard, Vicki and Pat
6 Broeker. RA Set II at 869-70.

7 In June 1985, Richard's post was changed to Commodores
8 Messengers Organization Gold. RA Set I at 683.

9 Richard's next job was to guard Dr. Gene Denk during a
10 vacation at Lake Tahoe which involved watching Dr. Denk gamble. RA
11 Set I at 388-89. Dr. Denk, a Scientologist and medical doctor, was
12 Hubbard's personal physician. David Miscavige told Richard that Dr.
13 Denk was insane, had to be watched to make sure that he did not
14 talk to anybody, and had to be audited by Ray Mithoff. RA Set II at
15 670-71.

16 In late 1985, before the settlement of a number of pending
17 lawsuits, at the directive of David Miscavige, Vicki ordered a
18 "truck load" of PC folders ¹³/ of litigants to be "pulped." VA at
19 333-35.

20 During her affiliation as a Scientology leader, Vicki was
21 aware of instances of false imprisonment. Once Hubbard's son had
22 been beaten up and held captive. VA at 1503-04. She observed a
23 number of people who were locked up at Gilman Hot Springs. VA at
24 1505.

25 Hundreds of copies of Dianetics were sold by sham. Hubbard,
26 who would receive 10% royalties off the top, would order different
27

28 ¹³ "PC" stands for pre-clear. Information obtained through
auditing is maintained in the auditing folder. VA at 335.

1 Scientology units to purchase the books even if such units had
2 already bought and possessed thousands. The books were stored in
3 warehouses so that Hubbard would appear to be a high seller and the
4 executives at Author Services, Inc. could keep their jobs. VA at
5 1547.

6 Vicki saw a videotape of a prostitute describing her
7 activities with a federal judge - which resulted in his recusal -
8 who presided over criminal proceedings in Washington, D.C. whereby
9 nine Scientologists were ultimately convicted. Vicki was also aware
10 of Scientology activities intended to compromise the integrity of
11 other judges who presided on Scientology cases, VA at 1493-95,
12 1497-1500, 1597-1600, 1603-08, including the Wollersheim case. VA
13 at 1591-95.

14 She also was aware of Scientology's policy of employing
15 private investigators to surveil, harass and discredit attorneys
16 prosecuting litigation adverse to it and to make it impossible for
17 people to sue Scientology by making it too expensive. VA at 1508-
18 12. Scientology amassed file cabinets filled with information on
19 Michael Flynn, an attorney who had been declared a suppressive
20 person because he sued Scientology. RA Set II at 309. Richard
21 engaged in covert activities against Flynn. Although Richard was
22 not involved "with the putting water in his gas tanks on his
23 airplane . . . [he] was involved in trying to get that covered up."
24 RA Set II at 311-12, 339; 480.

25 Richard also worked with Marty Rathbun in an attempt to frame
26 Flynn regarding an allegedly stolen check in the amount of \$2
27 million. The efforts to discredit Flynn, by lawful or illegal
28 means, cost millions of dollar and were directed ultimately as a

1 result of meetings with Rathbun and Miscavige were held at Author
2 Services, Inc. and the Office of Special Affairs International who
3 put tremendous pressure on Richard to obtain information that would
4 discredit Flynn. RA Set II at 312-14, 331-37. Investigators would
5 sift Flynn's office trash in efforts to obtain privileged
6 information. RA Set II at 343-44.

7 Richard was brainwashed while executing fair game activities
8 against Flynn who believed that Flynn's attacking Scientology was
9 itself a crime. RA Set II at 371. Richard reported directly to
10 Miscavige and Rathbun. RA Set II at 318. Richard, a member of the
11 Sea Organization who was then placed in the Office of Special
12 Affairs, controlled four or five investigators who tried to make
13 life miserable for Michael Flynn. On the orders of David Miscavige
14 and Marty Rathbun, one was directed to infiltrate the F.B.I.
15 investigation of the stolen check case and another in the Attorney
16 General's Office. RA Set II at 316-17; 477.

17 Since the F.B.I. raids on Scientology in 1977, it was acutely
18 sensitive of hiding its covert activities and preventing illegal
19 activities from being traced back to it. RA Set II at 318. To do
20 this, Scientology would set up schemes whereby money would be
21 placed in the client trust accounts of attorneys who would then
22 sign the checks by which the investigators in charge, such as
23 Richard, would be paid. The money would fund Scientology's
24 operations which would be run directly by the Office of Special
25 Affairs International. The investigators would go for weeks without
26 even seeing an attorney, even when they obtained their checks. RA
27 Set II at 319-20. Richard never submitted bills to the attorneys;
28 he turned in his receipts to Scientology. RA Set II at 323. Among

1 such lawyers were Michael Levanas and John Peterson. RA Set II at
2 324-25, 720-21.

3 With such a starting point, Richard would hire an investigator
4 who, in turn, would hire people that Richard would never see "so
5 that way, we got it further and further from being able to be
6 traced back to the Church." RA Set II at 322.

7 Vicki was aware of David Miscavige fraudulently performing
8 notary services for the purpose of authenticating L. Ron Hubbard's
9 signature on declarations in on-going litigation without so much as
10 seeing Hubbard. VA at 1611-13.

11 Vicki was aware of how Scientology would stage false "Sunday
12 Services" in order to appear to be a religion. VA at 1631; RA Set
13 II at 365-67. Hubbard said there no such thing as God, and that
14 Scientology only pretends there is so that potential recruits will
15 not be alienated. RA Set II at 381.

16 The process of assigning a freeloader debt would be based upon
17 favor in which Scientology authorities regarded an individual who
18 was going to "route out" of Scientology. If he was in disfavor and
19 the authorities wanted to "bring pressure to bear" a large amount
20 would be assessed. VA at 1555-56.

21 When L. Ron Hubbard died in January 1986, David Miscavige sent
22 Richard to Hubbard's ranch at Creston, near San Luis Obispo, to set
23 up security, RA Set I at 388; RA Set II at 451, where he stayed
24 until April 1987. There, he took orders from Pat and Anne Broeker,
25 David Miscavige and Norman Starkey. RA Set II at 453. Richard
26 participated in covering up expenditures in anticipation of an
27 audit by the Internal Revenue Service. VA at 316, 335-37. In
28 addition to dealing with security matters, he was a laborer,

1 loading hay, digging ditches working on irrigation systems. RA Set
2 II at 449-50.

3 During this time, Vicki was either in Los Angeles or Gilman.
4 RA Set I at 390-91. During this 15 month period, they were able to
5 visit each other 6 times. RA Set I at 392; VA at 224, 1219-20. Of
6 those, Vicki visited Rick three times. VA at 781. Sometimes, they
7 were not able to see one another for several months, RA Set II at
8 823, and, Vicki would often not know where Richard was. VA at 222,
9 224. She tried to resign from her post as Inspector General with
10 Religious Technology Center in order to be closer to her husband,
11 but was not allowed to. VA at 1218. Richard was allowed to travel
12 to Los Angeles to visit his wife as a technique of coercion.
13 Provided that he had "been obedient and was considered in good
14 graces," he could go RA Set II at 823-26.

15 After Hubbard's death, David Miscavige claimed that Pat
16 Broeker was attempting to set himself up as the source of
17 Scientology. RA Set II at 455. Obvious problems developed between
18 David Miscavige and Pat Broeker. RA Set II at 549.

19 Richard received mail regularly from Vicki until February 1987
20 when she went into the RPF at which point he received very little.
21 He wrote to her four times per week. RA Set I at 394-97. Pat and
22 Ann Broeker and Ray Mithoff told Richard that Vicki was crazy
23 because she had imagined difficulties between Pat Broeker and David
24 Miscavige that had caused a lot of trouble including the
25 destruction of Commodores Messenger Organization International.
26 They told Richard that for the good of Scientology he needed to
27 stay away from Vicki. RA Set I at 397-98.

28 After this, the first time that Richard saw her was when she

1 escaped from Happy Valley. RA Set I at 400; VA at 231.

2 In March 1987, David Miscavige sentenced Vicki to the
3 Rehabilitation Project Force in "Happy Valley" at Gilman Hot
4 Springs. RA Set I at 395; VA at 719, 1097. She "was extremely,
5 extremely confused." She did not know "[w]hat was going to happen,
6 what was going to happen to me . . . what I was going to do, what
7 was going on." VA at 1098, 1233.

8 She arrived at Happy Valley late at night and because there
9 were no beds, had to sleep on the floor. After a sleepless night,
10 she started performing hard physical labor the next morning at
11 7:00. She worked all day and then into the night. Not allowed to
12 walk, she was ordered to run everywhere she went. Later in the
13 evening an "ethics officer"

14 "started to work on [me] . . . and convince me how evil I was
15 . . . And she kept telling me, 'I don't know, I don't know
16 what the fuck you have done. You are just here, and I'm not
17 allowed to know, because it's secret. But I'll tell you what,
18 you are evil, and you have tried to destroy Scientology, and
19 you are going to pay for it, and you are going to write up all
20 of these evil things you have done.' . . . This went on for
21 several hours. Then I was supposed to go to bed again and get
22 up the next day and have another day . . . And I couldn't
23 sleep . . . this was so much unreality . . . I had been told
24 by Miscavige if I crossed him again he would blow my fucking
25 head off before I went to the RPF. And that was the third time
26 he had told me that. I was, at this point in time, at the end
27 of my rope."

28 VA at 826-827, 1234-35 ["I [still] have nightmares at night about

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1 being locked up and not being able to get away . . . I know that
2 the physical work I did there did something to my hands when I was
3 having to use a jackhammer."].)

4 She was physically locked in a room to take auditing. VA at
5 1206. The RPF ORG officer hounded Vicki to write up all her
6 criminal acts, what she had done to destroy Scientology, and
7 screamed accusations that she was a suppressive person. VA at 929.
8 When Vicki did write things up, the RPF ORG officer said they were
9 not good enough. Even though the crimes committed by Vicki were too
10 confidential for the RPF ORG officer to know, the officer "knew"
11 what Vicki had written was not what she had done. VA at 930-31.

12 On a daily basis, Vicki became increasingly frightened and
13 distressed. VA at 825. She came obsessed with getting away. VA at
14 828. Vicki at almost all times in the RPF closely guarded by one or
15 two people whom she had observed to have imposed physical restraint
16 upon others. In addition to her personal guards, there were armed
17 security guards and an entire RPF hierarchy. Her personal guards

18 "watched [her] all the time. They went to the bathroom with
19 me, they took showers with me, they were with me all the time
20 to make sure that I did not leave." VA at 723-724, 800-01.

21 At night Vicki was physically locked in a room. VA at 1206,
22 1229-1231. She was not allowed to talk to anyone who was not in the
23 RPF. Va at 777-78.

24 She was prohibited from telephoning Richard. The letters that
25 she wrote Richard were never delivered, VA at 726-727, 768, even
26 though she wrote almost every day. VA at 767. The person in charge
27 of Rehabilitation Project Force told Vicki that her letters were
28 not being delivered and David Miscavige told her that she received

1 none from Richard because he did not care about her. VA at 768-69.

2 Even though he wrote to his wife regularly, Vicki failed to
3 receive all his letters. RA Set I at 396-397. Ultimately, when the
4 Aznarans were allowed to leave Scientology, many unopened letters
5 were returned to them. VA at 768. Richard was prohibited from
6 visiting Vicki while she was incarcerated in the RPF at Happy
7 Valley. RA Set I at 399.

8 Happy Valley was surrounded by a fence with a single exit
9 which was guarded by one to three people through which people were
10 not free to leave. VA at 729. The security guards had jeeps and
11 dirt motorcycles. VA at 730. She was prohibited from reading
12 newspapers or books. VA at 1173.

13 While in RPF, Vicki came down with a fever caused by an
14 infection in her uterus. Twice per day Vicki would request
15 permission to go to a doctor for medical treatment, but upon orders
16 from David Miscavige was not allowed to. VA at 801-03, 815. She was
17 told that she could not see a doctor because she was not trusted.
18 VA at 734. She was in pain. VA at 815. She felt that she "would be
19 there forever and . . . had to get away . . . All I could think
20 about was getting away." VA at 1101.

21 Vicki she sneaked up on a hill and sat there thinking about
22 how to escape. Guards on motorcycles searched for her. The security
23 guards found her and brought her back to the RPF ORG officer's
24 office. She was reprimanded and told that because she had gone up
25 on the hill, she was "causing them a great deal of trouble . . .
26 that [she] was suppressive and that I had better come clean, write
27 it up, admit to everything, and on and so forth." VA at 931-932; RA
28 Set II at 460.

1 She knew that were she to leave the RPF without authorization,
2 that she would in Scientology terminology "blow." VA at 1100. Any
3 person who "blows" [leaves] and fails to return to Scientology is
4 declared a "suppressive person." VA at 721. People who "blow" from
5 Scientology "bad consequences" at its hands. VA at 1181.

6 Meanwhile, Ray Mithoff, senior case supervisor international
7 most highly trained in Scientology technology, Pat Broeker and Ann
8 Broeker met with Richard and in explanation why Vicki had been
9 sentenced to RPF told him

10 "that Vicki was crazy and that Vicki had imagined all these
11 difficulties between Pat Broeker and David Miscavige, that as
12 a result Vicki was just creating a lot of trouble and
13 destroying CMO [Commodore Messengers Organization]
14 International . . . and that I was not going to be allowed to
15 see her . . . until they gave me the okay. That she was really
16 crazy, that I needed to be away from her. . . They had to do
17 it for the good of Scientology."

18 RA Set I at 398-399; VA at 1055, 1057.

19 Because the tin huts in which the RPFers lived at Happy Valley
20 were very hot, Vicki was told she could lay out under a tree. VA at
21 734. She had endured the fever generated by the infection in her
22 uterus for one week for which she had received no medication. VA at
23 803-04.

24 That day Jesse Prince and Spike Bush left Happy Valley on foot
25 and were chased by the guards. They were picked up in a truck by
26 two Native Americans from a reservation adjoining Happy Valley and
27 taken to town. VA at 732. In late afternoon, Jesse came back to
28 Happy Valley in a car, picked up Vicki who was still laying under

1 the tree and left. VA at 734, 740-41. On her way out a guard
2 attempted to restrain her, but then let her go. VA at 742.

3 Vicki originally was instructed by Scientology representatives
4 to cooperate by moving from her first hotel room to another hotel
5 in a room paid for by Scientology until Richard arrived. VA at 745.
6 At the motel, VA at 737, for which the Scientologists paid, she
7 again told she would have to cooperate. VA at 745. She was worried
8 about her situation, VA at 747, didn't know what to do, VA at 751,
9 and hoped to talk to Richard. VA at 750.

10 When Vicki escaped from Happy Valley, Richard was summoned by
11 David Miscavige. RA Set I at 400. Initially, Miscavige would not
12 tell Richard where Vicki was but "kept [him] up until almost 5:00
13 in the morning before allowing [him] to even go to bed trying to
14 talk me into divorcing Vicki and so forth." RA Set II at 178.
15 During the time that "they were trying to convince me that my wife
16 was a suppressive person and that I should divorce her, . . . I
17 decided that I was not going to let my loyalty to my wife be
18 compromised." RA Set II at 232. He led Miscavige and Mithoff "to
19 believe that I would attempt to assist in salvaging Vicki." RA Set
20 II at 231. Then, both Miscavige and Mithoff spoke to Richard, RA
21 Set II at 230, and sent him "to the motel to recover Vicki or talk
22 her into returning to the Church, and I was also supposed to do the
23 same with Jesse Prince and Spike Bush." RA Set II at 175; VA at
24 744-45.

25 When Richard arrived at the motel, he told Vicki he had been
26 accompanied by Scientologists. VA at 752. After Richard arrived,
27 they were supposed to stay in their hotel room unless "we were
28 specifically going to eat." RA Set II at 73. They stayed at the

1 motel all day. VA at 818-19. They ate one meal at a restaurant. VA
2 at 820. Richard had about \$50. Va at 821. Marty Rathbun told Vicki
3 she should return to the RPF. VA at 824. They were forcibly held in
4 the Hemet area, particularly the motel, until they were finished.
5 RA Set II at 74. Rathbun and Miscavige oversaw everything. RA Set
6 II at 177. Richard and Vicki wanted to escape Scientology provided
7 that they "could do it without being declared fair game." RA Set II
8 at 231.

9 The next day, after obtaining permission from Marty Rathbun,
10 VA at 823-24, they went to the doctor. Va at 821. Vicki received
11 treatment for her infection from Megan Shields who had treated her
12 over the years she had been a member of the Sea Organization. VA at
13 804-05. She said it was an infection of Vicki's uterus. VA at 815.
14 Shields' office was an hour's drive from Hemet. VA at 811. Dr.
15 Shields prescribed antibiotics. Richard paid for the visit. VA at
16 815. Richard and Vicki were followed there and back to Hemet by
17 security guards from Scientology. VA at 812-14.

18 From April 1, 1987 to April 9, 1987, the Aznarans were held at
19 the hotel in Hemet, California, before they were able to escape
20 from Scientology. Duriung this time, they attempted to "route out"
21 of Scientology, that is, leave without being declared a suppressive
22 person. VA at 721, 733.

23 There is a "routing form" which specifies items to be done
24 including seeing "ethics officers, SEC checking, review, returning
25 Org materials" and so forth. VA at 766-67. However, the Aznarans
26 did not route out on any routing form pursuant to Scientology
27 practices. Rather, the Aznarans did what they were "asked to do,
28 which was not a formal routing out procedure." They did what they

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1 had to do to leave. VA at 1143-44. The "routing out" of the
2 Aznarans took place over a number of days until April 9, 1987. As a
3 part of the procedure, a number of documents were signed. VA at
4 1113.

5 At that time Scientology held not only the personal property
6 of the Aznarans, but also their horse and two dogs. The purpose of
7 holding said property was to insure their "cooperation" upon
8 leaving. RA Set II at 171. Vicki had furnishings; Richard had a
9 pickup truck, two saddles, boots, clothing, and guns. VA at 780,
10 782. Their belongings and animals were not returned until the day
11 they were allowed to leave. VA at 786. In order to leave, the
12 Aznarans would need transportation, money and not to be guarded. VA
13 at 722.

14 For the week prior to escaping Scientology, the Aznarans were
15 "surveilled twenty-four hours a day by plainclothes security guards
16 from the local church" whom Richard recognized, including security
17 chief Ken Seybold. RA Set II at 69-70, 72. Although Vicki and
18 Richard had been "allowed" to drive to Los Angeles in order to
19 obtain medical treatment for Vicki, Richard felt that they were
20 physically restrained from leaving the hotel. RA Set II at 70-71.

21 They were both told during the sessions which took place from
22 April 1 through April 9, 1987, that "we had to stay there until we
23 finished . . ." and "that if we did not cooperate, we would be
24 declared suppressed persons and resulting in fair game . . ." RA
25 Set II at 74. The reason this was important to Richard was it was
26 "becoming fair game is automatic when you are declared a
27 suppressive person." His "understanding [was] that as long as I
28 was not declared, the Church would exercise some type of restraint,

1 whereas with fair game there would be no restraint." RA Set II at
2 75. "Suppressive acts lead to fair game, lead to SP declares, lead
3 to a lot of trouble." VA at 912. Knowing of what Scientology is
4 capable frightened Richard. RA Set II at 414.

5 During the time they were confined to the hotel room "during
6 many, many hours of that time, one of us would be being security
7 checked, and one of would be being interviewed by Marty. . ." RA
8 Set II at 74; VA at 1142. Being intensively sec checked, among
9 other things, was required in order that the Aznarans could leave.
10 VA at 1143-44, 1259-60; RA Set II at 86.

11 Security checking causes one to be vulnerable because "just
12 like all auditing . . . somebody else -- hooks you up to a machine
13 that somebody else is running and interrogate . . . you . . . it's
14 a whole exercise in control." RA Set II at 98. Generally, auditing
15 is a tool of brainwashing and control. RA Set II at 99, 101. The
16 purpose of security checking was "to soften [Richard] up and remind
17 [him] of what powers the cult could bring to bear on [him] should
18 he refuse to cooperate fully . . ." RA Set II at 98. Vicki
19 describes security checking as "where you're put on an E-meter to
20 decide what your crimes are or . . . figure out what you have done
21 against anyone or any crimes or criminal acts, that kind of thing."
22 VA at 1082.

23 From April 1, 1987 to April 9, 1987, the sec checking the
24 Aznarans was executed by Marty Rathbun, Ray Mithoff and Jeff
25 Walker. Ray Mithoff was one of the most highly trained auditors and
26 security checkers in Scientology. Thus, his mere presence was
27 intended to and added to the intimidation experienced by Richard.
28 RA Set II at 93-95. Ray Mithoff, the security checker whom David

1 Miscavige trusted, reported directly to Miscavige with respect to
2 the interrogations of the Aznarans. RA Set II at 96-97. Jeff Walker
3 was or had been either the Senior Case Supervisor International or
4 Deputy Senior Case Supervisor International. VA at 1258-60. One
5 dominant subject matter of security checking was "the Church was
6 concerned that we may have -- may have had some secret motive for
7 leaving, that possibly we were going to go to the government with
8 information or possibly testify, make information public, which
9 they didn't wish to be made public." RA Set II at 87.

10 At the time he and Vicki signed papers put before them, Marty
11 Rathbun stressed to Richard that if either of them spoke to
12 government agents about any information they had on Scientology
13 they would be in violation of the agreement and sued. RA Set II at
14 133.

15 Signing "releases" is a way of life in Scientology. Before and
16 after being audited, releases would have to be signed. RA Set II at
17 122, 127-28. It is Scientology policy that as a condition required
18 for not being declared a suppressive person, a staff person who
19 wanted to leave Scientology would have to sign releases. RA Set II
20 at 120. The purpose of the regular execution of such releases was
21 to provide a "deterrent" against suing Scientology. RA Set II at
22 132.

23 As to Richard, all releases "were all handed to me at the same
24 time. I just signed them. . . [under] . . . the conditions, the
25 intimidation and so forth, that existed at that point in time." RA
26 Set II at 155. Before signing them, Richard "at least scanned
27 them," RA Set II at 190, but all releases and documents that
28 Richard signed were nonetheless subject to the same coercive force.

1 RA Set II at 157. Likewise, Vicki "signed a whole stack of
2 documents the day I left that I did not thoroughly read" and
3 "skimmed" documents which related to a lawsuit and a release. VA at
4 485-87, 898. Vicki recalls included in the number of the documents
5 were affidavits, a loan agreement and a release. She "didn't pay a
6 whole lot of attention to that release. I didn't think it was worth
7 very much." She believes she was forced to sign the stack of
8 papers. VA at 898-99. At the time that the Aznarans "signed those
9 releases, we were not in a position to protest anything." RA Set II
10 at 160. In addition, both were brainwashed. RA Set II at 144.

11 Richard recalls having signed a release in connection with
12 certain items of personal property which he lost in a fire.
13 However, as to the release which is the subject of the motion for
14 summary judgement, he testified that it "had many, many, many, many
15 more things that I do not recall. . . There was just much more
16 there than I recall having signed. Seems to have broadened." RA Set
17 II at 23. Even though for several months Richard had requested some
18 six times that Marty Rathbun provide him with a copy of the
19 release, RA Set II at 46, he neither received a copy of the release
20 at the time that he signed it nor saw a copy until shortly prior to
21 the commencement of the lawsuit. RA Set II at 23-24, 50, 68.

22 Even though Richard's signature appears on page 8 of the
23 release, it is important "to point out that there are lines for
24 initials on every page, and they are left blank, and my initials do
25 not appear on any of the pages." RA Set II at 53. Richard does not
26 specifically recall the substances of paragraphs 1, 2, 3, 4, 5, 6,
27 6a, 6b, 6c, 6d, 6e, 6f, 6g, 7, 8, 9, 10, 11, 12, 13, 14, 15 or 16.
28 However, he could "recall signing a release which contained many of

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1 these same type of provisions." RA Set II at 54-58. However,
2 generally he was able to recall provisions generally like
3 paragraphs 1, 5, 6c, 6e, 6f, 6g, 7, 8, 9, 14. At the time that he
4 signed whatever documents he signed, he was the only person to do
5 so. RA Set II at 67. However, Richard said "I have seen so many of
6 these releases, and I -- I have seen them times when I have gotten
7 others to sign them and times when I have been required to sign
8 them. And I don't really recall if I remember this particular one
9 or if I just recall them in general. They all seem pretty much the
10 same, in that they release all -- every different type of church
11 entity, L. Ron Hubbard, any particular individuals that are worried
12 about being sued. In this case, I'm sure Pat Broeker and David
13 Miscavige and so forth would have been mentioned." RA Set II at
14 119. Further, since "the Church always errs in the direction of
15 caution in such matters" RA Set II at 154, Richard believes that he
16 signed two releases.

17 Nonetheless, Richard stated that he believes the release has
18 been -- "changed to fit the claims of the cult" because "there are
19 parts of that release that I do not recall at all, and I can state
20 that the Church refused to let me have a have a copy of the release
21 in spite of me asking for a copy on many occasions. And that's the
22 only reason I can think of that they would do that, and it fits
23 with their earlier modus operandi." RA Set II at 59, 61.

24 Richard stated that he felt forced, in particular, by Marty
25 Rathbun to sign the release and that the presence of David
26 Miscavige, Ray Mithoff and attorneys John Peterson and Larry Heller
27 lent more weight to the force involved. RA Set II at 27-28, 31,
28 186. Richard does not recall going over the releases with

1 Scientology attorneys Peterson or Heller, or asking them any
2 questions. RA Set II at 190.

3 Richard stated "Early on, in the -- at the meetings we had
4 there at the hotel -- at the motel room, Ray Mithoff and Mark
5 Rathbun, both individually and together, made it clear that the
6 only way we would be able to leave without being declared
7 suppressive persons and, therefore fair game, would be to
8 cooperate." RA Set II at 28, 31. He also testified that also
9 "lending to the force involved was having seen other people, over
10 the years, what happened to them when they did not cooperate and so
11 forth." RA Set II at 29. The cooperation involved signing "all
12 those papers" presented to him. RA Set II at 30.

13 At some point during David Miscavige's interrogation of
14 Richard, he asked how much he would need in order to go directly to
15 Texas. Even though Richard in response stated \$5,000, RA Set II at
16 150, among "all those papers" was a "loan agreement" for \$20,000
17 for which Richard had not asked. Even though Richard had planned to
18 stay in Southern California, RA Set II at 36, both Rathbun and
19 Miscavige stated that the purpose of the loan was so that Richard
20 would "leave Southern California." RA Set II at 33-34. Unlike the
21 release, he was given a copy of the loan agreement when he left. RA
22 Set II at 39. They did not leave in the "spirit of cooperation." RA
23 Set II at 187.

24 After the Aznarans escaped from Scientology, on at least six
25 occasions Richard asked Marty Rathbun for a copy of the releases.
26 RA Set II at 46, 50, 58, 60-61.

27 When they left, the Aznarans wanted to become public
28 Scientologists, that is, person who paid for services instead of

1 working full-time on staff. RA Set II at 88.

2 Richard believes that commencing in 1972 "he had previously
3 been brainwashed by the Cult . . . [which] continued through 1973
4 when we were forced to give all our worldly possessions to the cult
5 leaders and has only recently ended since we were able to escape
6 their influence." RA Set II at 179. The state of having been
7 brainwashed continued past the time in April 1987 when Richard left
8 Scientology. RA Set II at 181.

9 One of the conditions of not being declared fair game was that
10 the Aznarans report to Rathbun on a regular basis. RA Set II at 81.
11 Shortly after Richard and Vicki escaped from Scientology, Marty
12 Rathbun telephoned Richard and instructed not to perform work for a
13 certain private investigator in Dallas because that investigator
14 had performed work for Scientology. Richard obeyed. VA at 1183-84.
15 Then, in August 1987, Richard told Marty Rathbun that he would act
16 as an informant for Scientology. VA at 1330-33. In August 1987,
17 Richard audited Gary Franks, the person who introduced him to
18 Scientology in 1972, after obtaining his pre-clear files from the
19 Dallas franchise. Richard considered this an act which would
20 rectify his poor ethical standing that resulted from his departure
21 from Scientology. RA Set II at 101-04, 201-08. Also in August,
22 Richard wrote David Miscavige asking for an enumeration of
23 conditions to be satisfied in order to continue affiliating with
24 Scientology. RA Set II at 197-200, 104. Richard still considered
25 himself a Scientologist. RA Set II at 208. When Miscavige wrote
26 back, "[a]s usual, [Richard] submitted to his and the Church's
27 wishes . . . it was simply up to [him] to submit or be declared [a
28 suppressive person]." RA Set II at 213-14.

1 In November 1987, the Aznarans were instructed by Scientology
2 not to speak with the press. VA at 1184. At this point Vicki
3 questioned why they were allowing Rathbun to issue orders to them.
4 RA Set II at 215-16.

5 The Aznarans understood that the statute of limitations "would
6 start to run from the point that we had ceased being brainwashed
7 enough to realize that . . . we had been victims of Scientology."
8 RA Set II at 590. The Aznarans first contemplated filing a lawsuit
9 in January 1988. VA at 320.

10 Taking college courses started to open Vicki's mind to the
11 fact that she had been controlled by Scientology. She started to
12 see that L. Ron Hubbard was not the source of all to which he had
13 laid claim, people who were not Scientologists were "perfectly fine
14 people," the "American government really wasn't designed and set up
15 to do in the people," the press wasn't all bad, that "anyone who
16 says bad things about Scientology or maybe doubts it or writes
17 something skeptical about it is not necessarily a suppressive or an
18 evil person," and that the OT level of Scientology were not
19 necessarily the "absolute truth." VA at 854-56. In January 1988,
20 Vicki heard a lecture at El Centro Junior College in Dallas that
21 touched on the issue of thought control, VA at 321, and in Glen
22 Currier's Sociology 101 class, her sociology course book had a long
23 discussion of Scientology that was "not . . . very flattering." VA
24 at 479, 665, 858. The result of the discussion in the book was that
25 for "the first time [Vicki] started thinking about the fifteen
26 years and the things [she] had done and had occurred." VA at 479-
27 80.

28 Education had a profound impact on Richard's ability to

1 deprogram himself. RA Set II at 183, 685-86. In fall 1987, he
2 attended classes at El Centro Junior College. RA Set II at 812.
3 Richard started "to realize . . . that [he] had been drilled into
4 submission . . . so that [he] responded to whatever whims they may
5 [have tried] to exercise over [him]," RA Set II at 145-46, and
6 "realized how brainwashing . . . dealt with control." RA Set II at
7 146. For Richard, in early March 1988, the process of being
8 brainwashed "ended at the point [he] told Marty [Rathbun] [he]
9 didn't ever want to talk to him and get out of [his] life." RA Set
10 II at 180. Until that time, he had been brainwashed and "heavily
11 under [Scientology's] influence." RA Set II at 181. When Richard
12 both "left the Church" and became "free from their influence," he
13 started to become "unbrainwashed." RA Set II at 529. Until Richard
14 got psychologically out of Scientology, he believed that the
15 teachings of L. Ron Hubbard involved the pursuit of science. RA Set
16 II at 398-400. This belief persisted after his return to Dallas
17 past the point where his provided auditing to Gary Franks. RA Set
18 II at 404-05. The Aznarans no longer were the subjects of
19 Scientology's control after the last visit by Ray Mithoff and Marty
20 Rathbun. RA Set II at 462.

21 The Aznarans were coerced into affiliating with Scientology by
22 brainwashing. VA at 1226. Much of the physical trauma meted out by
23 Scientology is in the form of sleep deprivation which sometimes
24 would last for several days. VA at 1208-10. Vicki said,
25 brainwashing "to me . . . means taking an individual and cutting
26 them off from influences that you do not want them to be influenced
27 by and then influencing them as you would like them to think and
28 using various, different methods to do that, like stress, duress,

1 repetition . . ." Va at 867. It is "to be indoctrinated heavily
2 into a certain way of looking at things or a certain propaganda to
3 the point of exclusion of reason and logic with the use of
4 psychological or physical stress." VA at 1169. The brainwashing is
5 further accomplished by "the way that people are separated from
6 families, husbands, children, other family members . . . if their
7 families have any disagreements with them being in Scientology or
8 don't like it, they have a choice of to handle them or disconnect
9 from them." VA at 1180. It "starts with being cut off from any
10 other viewpoints that might possibly be critical or not coincide
11 with Scientology. Specifically, other writings, press. You learn
12 early on that college is a waste of time. It is a waste of time to
13 read the press. It is a waste of time to read anything, but what
14 Hubbard writes." VA at 1171. It got "to the point where you weren't
15 allowed to watch TV anymore. You are finally to the point where you
16 do not examine, logically, Scientology. You just don't. You are cut
17 off from anything that might give you another viewpoint." VA at
18 1172-73.

19 Scientology's manipulation of what it calls "ethics"
20 contributes greatly to brainwashing. If "anyone steps out of line,
21 they are handled with ethics. And ethics is like any number of
22 different things that can be done to a person, . . . it keeps one
23 on the program . . . maybe the person would go to the RPF." VA at
24 1177-78.

25 The indoctrination forced Vicki to involuntarily abandon her
26 "personal idea of self" and her "family, [and] . . . government."
27 VA at 1211. She was indoctrinated that "the government was merely
28 an oppressive instrument to do in the people, meaning the U.S.

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1 Government, and that the people involved in it were, that the court
2 system was the same, the judicial system. I felt that any crime I
3 might commit against them was perfectly justified." VA at 1215. She
4 abandoned Richard. Va at 1215. Although Scientology brainwashed
5 Richard to believe it, he never received the spiritual gain that he
6 had been promised. RA Set II at 850-53, 862.

7 Richard summed up his Scientology experience. "I can
8 truthfully say that after fifteen years of Scientology continuous
9 coercion, torment, agony, et cetera, et cetera, I don't think that
10 there is probably a whole lot left that could bother me." RA Set II
11 at 857. "I participated in breaking up other people's marriages or
12 destroying people's lives or running covert operations against
13 Scientology enemies." RA Set II at 863. He assisted in brainwashing
14 people and in doing so thought that he was helping them. RA Set II
15 at 863.

16 In 1988, Richard and Vicki were declared suppressive persons.
17 A copy of the declaration of such was left on the doorknob of their
18 home. RA Set II at 769. Investigators in Dallas told the Aznarans'
19 office postal carrier that they were under investigation for
20 engaging in drug sales. RA Set II at 486. They followed Vicki at
21 night. RA Set II at 487. Scientologists talked to two of the
22 Aznarans' employees who then quit. RA Set II at 489, 492. Richard
23 was sideswiped when in Galveston. RA Set II at 490.

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25 DATED: August 18, 1991

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